

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
 STATE OF NEW YORK, STATE OF ILLINOIS, STATE OF :
 MARYLAND, STATE OF WASHINGTON, :
 :
 Plaintiffs, :
 :
 v. : 07 Civ. 8621 (PAC)
 :
 UNITED STATES DEPARTMENT OF HEALTH AND : ECF CASE
 HUMAN SERVICES, :
 :
 Defendant :
 -----x

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of Defendant's Motion to Dismiss, and the accompanying Declaration of Serrin Turner, defendant, by its attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, will move this Court before the Honorable Paul A. Crotty for an order dismissing the Complaint pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure.

Dated: New York, New York
 March 17, 2008

MICHAEL J. GARCIA
 United States Attorney for the
 Southern District of New York
 Attorney for Defendant

By: /s/ Serrin Turner
 SERRIN TURNER
 Assistant United States Attorney
 86 Chambers Street, 3rd Floor
 New York, New York 10007
 Telephone: (212) 637-2701
 Facsimile: (212) 637-2686
 Email: serrin.turner@usdoj.gov